

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In Re: MUSHROOM DIRECT PURCHASER )  
ANTITRUST LITIGATION )  
) THIS DOCUMENT RELATES TO: )  
) )  
WINN-DIXIE STORES, INC., *et al.* )  
v. ) Civil Action No. 15-CV-6480  
EASTERN MUSHROOM MARKETING )  
COOPERATIVE, INC., *et al.* )  
)

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**DEFENDANTS J-M FARMS, INC. AND MUSHROOM ALLIANCE, INC.’S  
RESPONSE TO PLAINTIFFS’ MOTION TO ENFORCE PRIOR COURT ORDERS**

Defendants J-M Farms, Inc. (“J-M”) and Mushroom Alliance, Inc. (“Mushroom Alliance”)(collectively, “Defendants”) hereby respond to Plaintiffs’ Motion to Enforce Prior Court Orders.

Defendants join the responses to Plaintiffs’ Motion to Enforce Prior Court Orders filed by Creekside Mushrooms, Ltd. (“Creekside”), Franklin Organic Mushrooms, Inc. (“Franklin”), and M. Cutone Mushrooms Co., Inc. (“Cutone”) insofar as Defendants have produced all of the documents produced in the related class action and opt-out cases and otherwise complied with the Court’s April 24, 2020 Order. *See* Dkt. Nos. 236, 241, and 243. As detailed more thoroughly in the responses joined above, Plaintiffs filed the instant motion rather than responding to specific inquiries from defendants who answered their interrogatories in the same manner as Defendants about whether such responses were deficient and before Defendants could address any specific complaint. This is simply an attempt by Plaintiffs to increase litigation costs in hopes of leveraging their settlement position. Regardless,

Defendants will, under separate cover, supplement its interrogatory response to provide page references for any document or deposition testimony relied on in response to Plaintiffs' interrogatories.

## I. ARGUMENT

### **A. Defendants have produced all of the documents it produced in the MDL.**

While it appears there is no dispute about the completeness of Defendants document production, for the avoidance of confusion, Defendants have produced all of the documents they produced in the related class action and opt-out cases.

### **B. Defendants Supplemental Interrogatory Responses comply with the Court's April 24, 2020 Order.**

In addition, Defendants have identified any documents relied on in their supplemental interrogatory responses. Similarly, despite the fact that the Court did not order them to do so, Defendants have reasonably correlated its responses to the relevant portions of the corporate representative depositions.

## **CONCLUSION**

For the reasons set forth above, Defendants respectfully request that the Court deny Plaintiffs' Motion to Enforce Prior Court Orders and to Extend the Remaining Case Schedule by 60 Days.

Respectfully submitted,

Dated: May 15, 2020

s/ Jason S. Taylor

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Attorneys for Defendants, J-M Farms, Inc. and  
Mushroom Alliance, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of May, 2020, a true and correct copy of the foregoing Answer to Interrogatories was served on counsel for all parties to this civil action by email.

s/ Jason S. Taylor